

JC398 U.S. PTO
04/16/99

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JC491 U.S. PTO
09/30/96
04/16/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Anticipated Classification Prior Application: Attorney's
of this Application: Exam'r: Dianne Rees Docket No.:
Class _____ Subclass _____ Group Art Unit: 1807 Enz-52(C)

FILED BY EXPRESS MAIL

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231
BOX FWC (if under \$1.62)

Sir:

This is a request for filing a X CONTINUATION _____ DIVISIONAL _____
CONTINUATION-IN-PART application under X 37 CFR \$1.60 _____ 37 CFR
\$1.62, of pending prior application Serial No. 08/182,621 filed on January 13, 1994 of
Dean L. Engelhardt et al.
Inventor(s)

for: **NOVEL PROCESS, CONSTRUCT AND CONJUGATE
FOR PRODUCING MULTIPLE NUCLEIC ACID COPIES**
Title of Invention

1. X Enclosed is a copy of the prior application, as originally filed and an affidavit or declaration verifying it as a true copy.
2. X A copy of the verified statement under 37 CFR \$1.9 and \$1.27 establishing small entity status in the prior application is enclosed. Small entity status is still applicable.
3. X The filing fee is calculated as follows:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT								
	Number Filed		Number Extra		RATE		FEE	
					Small Entity	Other Entity	Small Entity	Other Entity
Total Claims	1	=	0	x	\$ 11	\$ 22	= \$ 0	\$ ---
Independent Claims	1	=	0	x	\$ 41	\$ 82	= \$ 0	\$ ---
Multiple Dependent Claims Presented: _____ Yes <u>X</u> No					\$135	\$270	\$ 0	\$ ---
If the difference in Col. 1 is less than zero, enter "0" in Col.2						BASIC FEE	\$395	\$790---
						TOTAL FEE	\$395	\$ ---

Attorney's Docket No. Enz-52(C)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. <u>EM366566576</u>	
Deposit Date <u>FEBRUARY 3, 1998</u>	
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
<u>Ronald C. Fedus</u> Ronald C. Fedus Reg. No. 32,567	<u>FEB 3 98</u> Date

Dean L. Engelhardt et al.

Serial No.: Not Yet Assigned

Filed: Herewith

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February 3, 1998)

4. X The Commissioner is hereby authorized to charge payment of the filing fee as well as the following fees associated with this application or to credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

 X Any additional filing fees required under 37 CFR §1.16.

 X Any patent application processing fees under 37 CFR §1.17.

5. X The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 05-1135. A **duplicate** copy of this sheet is enclosed.

 X Any patent application processing fees under 37 CFR §1.17.

 The issue fee set in 37 CFR §1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR §1.311(b).

 Any filing fees under 37 CFR §1.16 for presentation of extra claims.

6. A check in the amount of \$ is enclosed.

7. X ~~Cancel claims~~ 2-90

 X Amend the specification by inserting before the first line of the sentence/ --- This is a X continuation, divisional, continuation-in-part, of application Serial No. 08/182,621, filed on January 13, 1994. ---
ai

9. Transfer the drawings from the prior application.

10. X Informal X Formal drawings are enclosed.

11. X Abandon said prior application as of the filing date accorded this application. A **duplicate** copy of this sheet is enclosed for filing in the prior application file.

12. Priority of application Serial No. filed on is claimed under 35 U.S.C. §119.
The certified copy of the priority application has been filed in prior application Serial No. , filed .

13. X The prior application is assigned of record to Enzo Diagnostics, Inc., c/o Enzo Biochem, Inc., 527 Madison Avenue, New York, New York 10022. [A copy of the originally submitted Assignment and the Notice of Recordation are enclosed herewith.]

14. X A preliminary amendment is enclosed.

Dean L. Engelhardt et al.
Serial No.: Not Yet Assigned
Filed: Herewith
Page: 3 (Request for a Continuation Application Under 37 C.F.R. §1.60 -
February 3, 1998)

15. X The power of attorney in the prior application is to:
Ronald C. Fedus, Reg. No. 32,567, and John J. Santalone,
Reg No. 32, 794.
- (a) The power appears in the original papers in the prior
application.
- (b) Since the power does not appear in the original
papers, a copy of the power in the prior application is
enclosed.
- (c) A copy of a new substitute power of attorney is
enclosed.
- (d) X Address all future communications to: (May only be
completed by applicant, or attorney or agent of
record.)

Ronald C. Fedus, Esq.
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

16. X Also accompanying this Request is a Petition to Revive An
Unintentionally Abandoned Application Under 37 C.F.R.
§1.137(b).
17. X I hereby verify that the attached papers are a true copy of prior
application Serial No. 08/182,621, filed on January 13, 1994 .
18. X The parent application (Serial No. 08/182,621) was unintentionally
abandoned after July 9, 1997, which was the date that a response
to the April 9, 1997 Office Action was originally due. As noted
under No. 16 above, this Request For a Continuation Application is
accompanying the Petition to Revive an Unintentionally abandoned
Application Under 37 C.F.R. § 1.137(b), along with the requisite
petition fee therefor. With the expected granting of the Petition, the
parent application will be copending with the filing of this new
continuation application.

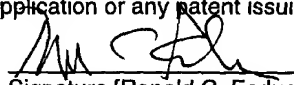
The undersigned declares further that all statements made herein of his own knowledge
are true and that all statements made on information and belief are believed to be true;
and further that these statements were made with the knowledge that willful false
statements and the like so made are punishable by fine or imprisonment, or both, under

Dean L. Engelhardt et al.
Serial No.: Not Yet Assigned
Filed: Herewith
Page: 4 (Request for a Continuation Application Under 37 C.F.R. \$1.60 -
February 3, 1998)

Section 1001 of Title 18 of the United States Code and that such willful false
statements may jeopardize the validity of the application or any patent issuing thereon.

FEBRUARY 3, 1998

Date


Signature [Ronald C. Fedus]

Registration No. 32, 567

Attorney for Applicants

☐ Inventor(s)

☐ Assignee of Complete Interest

☒ Attorney or Agent of Record

☐ Filed under 37 CFR \$1.34(a)

Address of Signator:
Enzo Diagnostics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Floor)
New York, New York 10022

lc:\word\usprosecution\enz52\enz52(c)\RequestForContinAppln.Enz52(C).012398

Attorney's Docket No. Enz-52(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants(s): Dean L. Engelhardt, et. al.
 Serial No. Not Yet Known Group Art Unit: Not Yet Known
 Filed: Herewith Examiner: Not Yet Known
 Prev. Examiner: Dianne Rees
 Prev. Art Unit: 1807

JC491 U.S. PTO
 09/302816
 04/16/99

For: **NOVEL PROCESS, CONSTRUCT AND CONJUGATE
 FOR PRODUCING MULTIPLE NUCLEIC ACID COPIES**

Honorable Commissioner of
 Patents and Trademarks
 Washington, D. C. 20231

Sir:

Transmitted herewith is a Preliminary Amendment Accompanying Request for Continuation Application Under 37 C.F.R. § 1.60 in the above-identified patent application.

The fee* has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	SMALL ENTITY RATE	ADDITIONAL FEE
Total	59	Minus	1	= 38	X 11	\$ 418
Indep	5	Minus	1	= 1	X 41	\$ 41
()	First Presentation of Multiple Dependent Claims				+ 135	\$ 0
	TOTAL ADDITIONAL FEE					\$ 459

*Small entity status was previously established in this application and is still applicable.

(X) Charge Deposit Account No. 05-1135 in the amount of \$459.

() A check in the amount of \$_____ is attached.

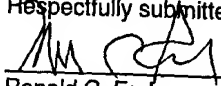
(X) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 05-1135: any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims and any patent application processing fees under 37 C.F.R. §1.17.

Copies are being provided in triplicate.

Also enclosed: _____

February 3, 1998
 Date

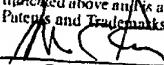
Respectfully submitted,


 Ronald C. Fedus
 Registration No. 32,567
 Attorney for Applicant(s)

ENZO DIAGNOSTICS, INC.
 c/o Enzo Biochem, Inc.
 527 Madison Avenue (9th Fl.)
 New York, New York 10022
 Tel. (212) 583-0100

Attorney's Docket No.: Enz-52(C)

lc.Enz52(C).Transmittal-Prelim.Amend.012898

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	EM366566576
Deposit Date	FEBRUARY 3, 1998
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 Ronald C. Fedus Reg. No. 32,567	<u>FEB 3 98</u> Date